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Intellectual Property Law & Related Matters

FACSIMILE TRANSMISSION

TO: USPTO
Examiner: Charles R. Craver - Group No.: 2682

FAX NO. 571-273-8300

FROM: J. Joel Justiss

RE: Serial No.: 09/813,424
Attorney Docket No.: BLAIR 3-5-5-3
• Statement Under 37 C.F.R. 3.73(b)
• Copy of Recorded Assignment
• Certificate of Merger between Agere Systems Guardian Corp. and Agere Systems Inc.

DATE: April 3, 2006

PAGES: 14 (including cover page)

If you do not receive the indicated number of pages, please notify the sender at the telephone number shown below. Thank you.

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MESSAGE:

Mailing Address: P.O. Box 832570, Richardson, Texas 75083-2570
Street Address: Palisades Central II, 2435 North Central Expressway, Suite 1300, Richardson, Texas 75080-2753 U.S.A.
Tel: (972) 480-8800 Fax: (972) 480-8865 firm@hittgaines.com

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No./Control No.: 09/813,424 Filed/Issue Date: 03/21/2001Entitled: CONTROLLER AND TRANSCEIVER EMPLOYABLE IN A WIRELESS COMMUNICATIONS NETWORKAgere Systems Inc.

(Name of Assignee)

a Corporation

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

In the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: John L. Blair, et al. To: Agere Systems Guardian Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel 011680, Frame 0219, or for which a copy thereof is attached.
2. From: Agere Systems Guardian Corporation To: Agere Systems Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

J. Joel Justiss
Signature
J. Joel Justiss

Printed or Typed Name

Attorney for Applicant
Title

April 3, 2006

Date

972-480-8800

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

JUNE 20, 2001

PTAS

HITT GAINES & BOISBRUN, P.C.
GLENN W. BOISBRUN
P.O. BOX 832570
RICHARDSON, TEXAS 75083



101676049A

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RECORDATION DATE: 03/21/2001

REEL/FRAME: 011680/0219
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BLAIR, JOHN L.

DOC DATE: 03/12/2001

ASSIGNOR:

HO, MING-JU

DOC DATE: 03/12/2001

ASSIGNOR:

RAWLES, MICHAEL S.

DOC DATE: 03/16/2001

ASSIGNOR:

THOMAS, RAYMOND R.

DOC DATE: 03/12/2001

ASSIGNEE:

AGERE SYSTEMS GUARDIAN
CORPORATION, A CORP. OF DELAWARE
14645 N.W. 77TH AVENUE, SUITE 105
MIAMI LAKES, FLORIDA 33014

SERIAL NUMBER: 09813424

PATENT NUMBER:

FILING DATE:

ISSUE DATE:

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NO. 4466 P. 4/14

011680/0219 PAGE 2

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ASSIGNMENT DIVISION
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Expires 08/30/99
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04-18-2001



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PATENT

BLAIR 1-3-3-2

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Conveyance Type



Assignment



Security Agreement



License



Change of Name



Merger



Other

U.S. Government
(For Use ONLY by U.S. Government Agencies)



Departmental File



Secret File

Conveying Party(ies)



Mark if additional names of conveying parties attached

Name (line 1) John L. Blair

Execution Date
Month Day Year
03 12 2001

Name (line 2)

Second Party

Name (line 1) Ming-JU Ho

Execution Date
Month Day Year
03 12 2001

Name (line 2)

09813424

Receiving Party



Mark if additional names of receiving parties attached

Name (line 1) Agere Systems Guardian Corporation

☐ If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
States, an appointment
of a domestic
representative is attached.
(Designation must be a
separate document from
Assignment.)

Name (line 2) a Corporation of Delaware

Address (line 1) 14645 N. W. 77th Avenue; Suite 105

Address (line 2)

Address (line 3) Miami Lakes

Florida

33014

City

State/Country

Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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04/17/2001 JJALLAH2 00000011 501735 09813424

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Patent and Trademark Office

PATENT

Correspondent Name and Address

Area Code and Telephone Number (972) 480-8800

Name Glenn W. Boisbrun

Address (line 1) Hitt Gaines & Boisbrun, P.C.

Address (line 2) P.O. Box 832570

Address (line 3) Richardson, Texas 75083

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document
including any attachments.

8

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

N/A		

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was
signed by the first named executing inventor.Month Day Year
03 12 2001

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
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PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:
Deposit AccountEnclosed ☐ Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

501735

Authorization to charge additional fees:

Yes

☒

No

☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any
attached copy is a true copy of the original document. Charges to deposit account are authorized, as
indicated herein.

Glenn W. Boisbrun

Name of Person Signing

Signature

03/20/2001

Date

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APR 03 2006

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PATENT

Page 3

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) Michael S. Rawles

Execution Date
Month Day Year
03 16 2001

Name (line 2)

Execution Date
Month Day Year
03 12 2001

Name (line 1) Raymond R. Thomas

Name (line 2)

Execution Date
Month Day Year

Name (line 1)

Name (line 2)

Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

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Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

Name (line 1)

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Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

BLAIR 1-3-3-2

ASSIGNMENT AND AGREEMENT

For value received, we, John L. Blair of Atlanta in the County of De Kalb and State of Georgia, Ming-Ju Ho of Alpharetta in the County of Fulton and State of Georgia, Michael S. Rawles of Acworth in the County of Cobb and State of Georgia, and Raymond R. Thomas of Atlanta in the County of Fulton and State of Georgia, hereby sell, assign and transfer to Agere Systems Guardian Corp., a corporation of the State of Delaware, having an office at Suite 105, 14645 N.W. 77th Avenue, Miami Lakes, FL 33014, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **"Controller and Transceiver Employable in a Wireless Communications Network"** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Agere Systems Guardian Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Agere Systems Guardian Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Agere Systems Guardian Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Agere Systems Guardian Corp. in the United States and in all countries foreign to the United States, or to such nominees as Agere Systems Guardian Corp. may designate.

We agree that, when requested, we shall, without charge to Agere Systems Guardian Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

John L. Blair
John L. Blair

Date: 3/12/01

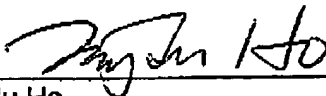
United States of America)

State of Georgia) ss.:

County of Clayton)

On this 12th day of March, 2001, before me personally came John L. Blair, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Gloria Lee
Notary Public
Notary Public, Clayton County, Georgia
My Commission Expires August 15, 2004



Ming-Ju Ho

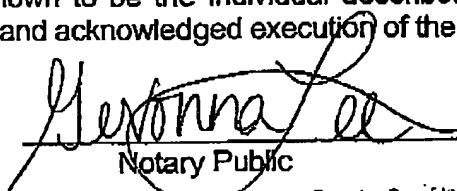
Date: 3/12/2001

United States of America)

State of Georgia) ss.:

County of Clayton)

On this 12th day of March, 2001, before me personally came Ming-Ju Ho, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



Notary Public
Notary Public, Clayton County, Georgia
My Commission Expires August 15, 2004

Michael S. Rawles
Michael S. Rawles

Date: 03-16-01

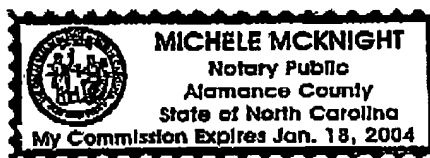
United States of America)

State of ~~Georgia~~ ⁱⁿ NORTH CAROLINA ss.:

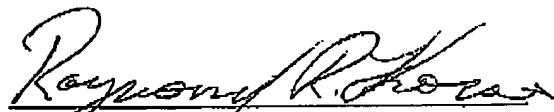
County of ALAMANCE)

On this 16th day of MARCH, 2001, before me personally came Michael S. Rawles, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Michelle Mcknight
Notary Public



5

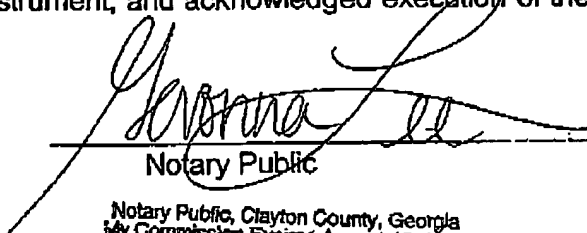

Raymond R. ThomasDate: 03-12-01

United States of America)

State of Georgia) ss.:

County of Clayton)

On this 12th day of March, 2001, before me personally came Raymond R. Thomas, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.


Notary Public

Notary Public, Clayton County, Georgia
My Commission Expires August 15, 2004

Agere Systems Guardian Corp.
Suite 105
14645 N.W. 77th Avenue
Miami Lakes, Florida 33014

Delaware

PAGE 1

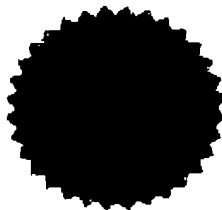
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION, WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3268412 8100M
020545223

AUTHEENTICATION: 1959517

DATE: 08-29-02

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 08/29/2002
020545223 - 3258412

CERTIFICATE OF OWNERSHIP AND MERGER**OF**

Agere Systems Guardian Corp.
(a Delaware corporation)

INTO

Agere Systems Inc.
(a Delaware corporation)

**UNDER SECTION 253 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"). **DOES HEREBY CERTIFY:**

FIRST: The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

SECOND: On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

RESOLVED that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

THIRD: That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento
Paul Bento, Vice President

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